

BILL NO. S-70-10-07

SPECIAL ORDINANCE NO. S-1590-70

AN ORDINANCE approving Sewer Agreement with NIEMEYER CORP. for construction of a Sanitary Sewer in Trier Ridge Park, Sections II and III.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement, approved September 22, 1970, between NIEMEYER CORP., as Developer, and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and Board of Public Works, as City, for the construction of a Sanitary Sewer in Trier Ridge Park, Sections II and III, as follows:

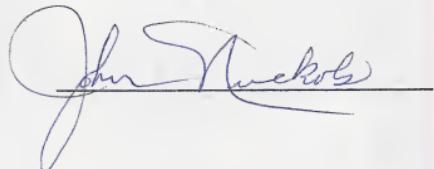
SANITARY SEWER LATERAL NO. 4: An 8-inch sanitary sewer commencing on the east side of Debeney Drive across said Debeney Drive from the southern most corner of Lot No. 66 in Section II of Trier Ridge Park, and running in a westerly direction approximately 225 feet to a point on the south side of Ensign Court, approximately in the front and center of Lot No. 69 in Section II of Trier Ridge Park, thence running west approximately 225 feet to a point at the end of the southern portion of the cul-de-sac of Ensign Court, approximately in the center and front of Lot No. 122 in Section III of Trier Ridge Park, servicing Lot Nos. 64, 65, and 69 of Trier Ridge Park, Section II, of Fort Wayne, Allen County, Indiana, and further servicing Lot Nos. 117, 118, 119, 120, 121, 122, 123, 124, and 125 of Trier Ridge Park, Section III, of Fort Wayne, Allen County, Indiana,

the total cost of said sewer to be borne by Developer, all as more particularly set forth in said Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

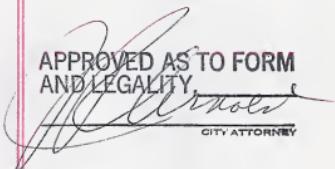
SECTION 2. That the Developer, and any owner or owners of land, their successors in ~~title~~ and assigns, which is now or may hereafter be located outside the corporate limits of the

City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation to said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM  
AND LEGALITY

  
John Nichols  
CITY ATTORNEY

Read the first time in full and on motion by Nuckles seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the day of 196<sup>th</sup>, at o'clock P.M., E.S.T.

Date: 10-13-70

Freud J. Bonahoom  
City Clerk

Read the third time in full and on motion by Fay seconded by Steigerwald and duly adopted, placed on its passage.

Passed ~~(lost)~~ by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
<u>8</u>	<u>0</u>	<u> </u>	<u>1</u>	
Adams	<u>✓</u>	<u> </u>	<u> </u>	
Dunifon	<u>✓</u>	<u> </u>	<u> </u>	
Fay	<u>✓</u>	<u> </u>	<u> </u>	
Geake	<u>✓</u>	<u> </u>	<u> </u>	
Nuckles	<u> </u>	<u> </u>	<u> </u>	
Robinson	<u>✓</u>	<u> </u>	<u> </u>	
Rousseau	<u>✓</u>	<u> </u>	<u> </u>	
Steigerwald	<u>✓</u>	<u> </u>	<u> </u>	
Tipton	<u>✓</u>	<u> </u>	<u> </u>	

Date 10-27-70

Freud J. Bonahoom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map) (General) (Annexation) (Special) (Appropriation)~~ Ordinance ~~(Resolution)~~ No. 5590-70 on the 27<sup>th</sup> day of October, 196<sup>70</sup>.

ATTEST: (SEAL)

Freud J. Bonahoom  
City Clerk

Herbert H. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28<sup>th</sup> day of October, 196<sup>70</sup> at the hour of 8:30 o'clock P.M., E.S.T.

Freud J. Bonahoom  
City Clerk

Approved and signed by me this 28<sup>th</sup> day of October, 196<sup>70</sup>, at the hour of 9:18 o'clock A.M., E.S.T.

Harold S. Zais  
Mayor

Bill No. S-70-10-07

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance  
approving Sewer Agreement with NIEMEYER CORP. for construction of a Sanitary  
Sewer in Trier Ridge Park. Sections II and III.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance 180 PASS.

JOHN NUCKOLS, Chairman

CELIA ANN FAY, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNIFON

EDWIN J. ROUSSEAU

Elia Ann Fay  
Theresa J. Daup  
Jack R. Johnson  
Elly Roman

CONCURRED IN  
DATE 10-27-70 FUAD G. BONAHOOM, CITY CLERK